

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

BANKRUPTCY NO. 21-22419-CMB

GEORGE C. SNYDER,

CHAPTER 13

Debtor.

ALLEGHENY ESTATES LLC,

Movant,

v.

GEORGE C. SNYDER,

Respondent.

MOTION FOR ORDER TO CONFIRM NO STAY

AND NOW, comes the Movant, Allegheny Estates, LLC, the titled owner of property included in an automatic stay in the above-captioned matter, by and through undersigned counsel, Lisa Burkhardt, Esquire and Brandt, Milnes, & Rea P.C., who file the within Motion for Order to Confirm No Stay and in support thereof avers the following:

1. The within Bankruptcy Action was commenced by the filing of a Chapter 13 Bankruptcy Petition on November 2, 2021.
2. Movant, Allegheny Estates, LLC, is an interested party as titled owner of real property located at 98 Arlene Avenue, North Versailles, Allegheny County, Pennsylvania. A true and correct copy of the deed granting Movant Property is attached hereto as Exhibit "A".
3. The Debtor, George C. Snyder, is a squatter at the property located at 98 Arlene Avenue, North Versailles, Allegheny County, Pennsylvania.

4. As of the date of the filing of the within Motion, the Debtor, George C. Snyder, remains in possession of the real property located at 98 Arlene Avenue, North Versailles, Allegheny County, Pennsylvania 15137 (hereinafter "Property").

5. As of the date of filing of the Bankruptcy Petition, the Debtor had no property interest in Property. Movant purchased Property on December 6, 2019 from Penn Pioneer Enterprises LLC.

6. Property was purchased by Penn Pioneer Enterprises LLC at a tax sale and was granted title by Sheriff Deed on November 14, 2019. A true and correct copy of the Sheriff deed is attached hereto as Exhibit "B".

7. When property was sold at tax sale, it was titled in the name of 98 Arlene Drive LLC. 98 Arlene Drive LLC was granted title in property by deed dated November 30, 2012. A true and correct copy of the deed is attached hereto as Exhibit "C".

8. As Debtor and Respondent, George C. Snyder, was the owner of 98 Arlene Drive LLC per his own claims, he was entitled to a tax redemption period following the tax sale of the property.

9. After the tax sale redemption period ended, Respondent refused to vacate property and stayed as a squatter on the property.

10. Movant was granted a judgment on September 22, 2021 granting possession of Property to Movant and ordering ejection of Respondent. A true and correct copy of the judgment is attached hereto as Exhibit "D".

11. Respondent was served the writ of possession on Property by Sheriff Return dated October 13, 2021. A true and correct copy of the Sheriff Return is attached hereto as Exhibit "E".

12. Ejection was scheduled to take place November 9, 2021 at 10:30 AM.

13. Respondent filed for Bankruptcy November 9, 2021 at 10:02 AM.
14. By order dated December 14, 2021, filed at Document No. 29, dismissing the bankruptcy case for failure to timely file schedules.
15. Respondent, George C. Snyder, filed an appeal in federal court, docketed at 2:22-cv-0016-CB.
16. Respondent, George C. Snyder, did not move pursuant to Rule 8007(a)(1) to stay the dismissal of the bankruptcy proceeding.
17. Due to not moving to stay the dismissal, as well as owning no property interest in the named property, there should no longer be a stay of ejectment proceedings.
18. On April 26, 2022, the United States District Court for the Western District of Pennsylvania entered an Order of Final Judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure and closing the case. (See Document No. 55).
19. Pursuant to 11 U.S.C. § 362 (j) and 11 U.S.C. § 362 (c)(4)(A)(2), Movant, as an interested party requests confirmation that no stay is in effect for property located at 98 Arlene Avenue, North Versailles, Allegheny County, Pennsylvania.
20. The Movant, Allegheny Estates LLC, hereby requests this Honorable Court to Decree that there is no stay in effect for said property, and to authorize the Sheriff to proceed with ejection of Respondent from Property.

WHEREFORE, Movant, Allegheny Estates LLC, respectfully requests this Honorable Court enter an Order as follows:

- (1) Confirming that there is no stay in place and Movant, Allegheny Estates, LLC and the Allegheny County Sheriff shall proceed with ejection against 98 Arlene Drive, North Versailles, Allegheny County, Pennsylvania 15137; and

(2) Any other relief deemed appropriate by the Court.

Respectfully Submitted,
Brandt, Milnes & Rea PC

/s/ Lisa M. Burkhart

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